

Express Mail Label No.: EV262659062US

Date of Deposit: May 19, 2003

Attorney Docket No. 21465-501 CIP2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Jonathan M. Rothberg, et al.

ASSIGNEE: CuraGen Corporation

SERIAL NUMBER: 09/814,338

EXAMINER: Young J. Kim

FILING DATE: March 21, 2001

ART UNIT: 1637

FOR: METHOD OF SEQUENCING A NUCLEIC ACID

1637
RECEIVED
MAY 23 2003
TECH CENTER 1600/2900

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

TRANSMITTAL LETTER

Sir:

Transmitted herewith are the following documents:

1. Amendment and Response to Office Action (17 pages);
2. Check No. 1454 in the amount of \$465.00 to cover the extension of time;
3. Petition for Three-Month Extension of Time (1 pg.);
4. Return postcard.

If the enclosed papers are considered incomplete, the Mail Room and/or the Application Branch is respectfully requested to address all telephone calls and correspondence to the undersigned at (212) 935-3000, New York, New York, Customer Number: 35437. A duplicate copy of this transmittal letter is enclosed.

The Commissioner is hereby authorized to charge payment of any fees required in connection with the paper(s) transmitted herewith, or to credit any overpayment of same, to Deposit Account No. 50-0311, Reference No. 21465-501 CIP2 (Customer Number: 35437).

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Eric Sinn".

Ivor R. Elrifi, Reg. No. 39,529

Eric Sinn, Reg. No. 40,177

Attorneys for Applicants

MINTZ, LEVIN, COHN, FERRIS

GLOVSKY AND POPEO, P.C.

666 Third Avenue, 24th Floor

New York, New York 10017

Telephone: (212) 935-3000

Telefax: (212) 983-3115

Date: May 19, 2003

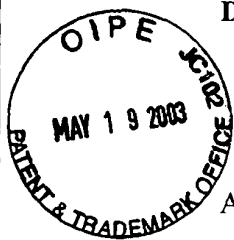


35437

PATENT & TRADEMARK OFFICE

Express Mail Label No.: EV262659062US
Date of Deposit: May 19, 2003

Attorney Docket No. 21465-501 CIP2



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

RECEIVED
MAY 23 2003
TECH CENTER 1600/2900

APPLICANTS: Jonathan M. Rothberg, et al.
ASSIGNEE: CuraGen Corporation
SERIAL NUMBER: 09/814,338 EXAMINER: Young J. Kim
FILING DATE: March 21, 2001 ART UNIT: 1637
FOR: METHOD OF SEQUENCING A NUCLEIC ACID

Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

AMENDMENT AND RESPONSE TO OFFICE ACTION

In response to the November 19, 2002 Office Action in the above-identified case, Applicants submit the following response. Applicants also request a three month extension of time, up to and including May 19, 2003, to respond to the Office Action. The fee of \$465.00 for the extension is enclosed. While Applicants believe that no additional fees are required, the USPTO is authorized to charge or credit the undersigned Deposit Account No. 50-0311, Reference No. 21465-501-CIP2 for any additional fees needed.

Amendment

In the Specification

Please delete the section "Related Applications" on page 1 lines 3-5 and substitute the following:

- -RELATED APPLICATIONS

31 This application claims the benefit of priority to, and is a continuation-in-part of USSN 09/664,197, filed September 18, 2000, which is in turn a continuation-in-part of USSN 09/398,833, filed September 16, 1999, now U.S. Patent 6,274,320. The contents of USSN 09/664,197 and U.S. Patent 6,274,320 are incorporated herein by reference in their entirety. - -